

MONDAY, APRIL 11, 1983

TWENTY-SIXTH LEGISLATIVE DAY

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Ron Miller, Lebanon, Tennessee.

Representative Ford led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

The Speaker announced that Representative Robinson (Hamilton) was excused because of the illness of his wife.

RECESS

On motion, the House stood in recess for the purpose of

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presenting a gift to David H. Welles, former Chief Clerk of the House.

On motion, the roll call was dispensed with.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 356, 843, 1244, 1245, 1246, 1247, 1249, 1250 and 1251; and House Joint Resolutions Nos. 120, 121, 122, 123, 124, 126 and 127; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 356, 843, 1244, 1245, 1246, 1247, 1249, 1250 and 1251; House Joint Resolutions Nos. 120, 121, 122, 123, 124, 126 and 127.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 183, 184, 370, 483, 1214, 1222 and 1224; and House Joint Resolutions Nos. 98, 102, 104 and 107, with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 1246, 1249 and 1250; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1246, 1249 and 1250; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

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**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 1246, 1249, and 1250, with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 237 and 737, with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.:

482--To regulate detention, unruly juveniles; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

129--Relative to congratulating East Robertson High School boys' basketball team;

130--Relative to congratulating Cumberland College Lady Bulldogs;

131--Relative to congratulating Hollow Rock-Bruceton Special School District Board of Education;

134--Relative to commending James G. Cathey;

135--Relative to honoring Captain Charles Patty and Mrs. Beverly Moon;

147--Relative to honoring Bill Monroe; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

197--To make certain provisions, motor vehicle privilege taxes;

494--To make certain requirements, plea bargaining;

854--To allow director of state museum to accept gifts; all substituted for Senate Bills on same subject, all amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

206--To regulate certain products subject to abuse.

The Speaker appointed a Conference Committee composed of Senators Ortwein, Hamilton and Atchley to confer with a like Committee from the House in resolving the differences of the two bodies on House Bill No. 206.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

334--To amend Section 55-8-160, Code;

347--To amend Section 2-2-115, Code;

721--To create judicial commissioners, certain counties;

800--To change name, Council of Juvenile Court Judges;

972--To amend Section 54-5-122, Code;

1253--To authorize school bonds, Bradford Special School District; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 21, 356, 453, 693, 843, 1165, 1244, 1245, 1247 and 1251; also, House Joint Resolutions Nos. 120, 121, 122, 123, 124, 126 and 127; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

539--To regulate terms of office, certain constables; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

CALENDAR

House Bill No. 202--To require credit in American History, baccalaureate degree.

Mr. McKinney moved that House Bill No. 202 be passed on third and final consideration.

Mr. Love moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 202 by deleting the last sentence of the amendatory language of Section 1 and substituting instead the following:

The requirements of this section will not apply, however, to persons who have successfully completed a satisfactory score on the social studies portion of the college entrance examinations (E.G.: ACT and SAT tests) or to foreign students holding baccalaureate degrees from programs offered in foreign countries. Higher education governing boards, along with their respective institutions, may determine the minimum college entrance examinations scores (i.e., social studies, portion) required for exemption from earning the above semester/quarter hours in American History.

Mr. Shockley moved that the Amendment No. 2 be tabled, which motion prevailed.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 202 by adding the following at the end of Section 1:

Tennessee Code Annotated, Section 49-3253, is further amended by adding the following at the end of the first paragraph:

After July 1, 1984, no person shall be granted a baccalaureate degree of any kind from any institution of higher learning supported or maintained by the state of Tennessee, or from any community college supported or maintained by the state of Tennessee, unless he or she has earned credit in Russian history, consisting of three (3) semester hours or four (4) quarter hours.

Mr. McKinney moved that Amendment No. 3 be tabled, which motion prevailed.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	69
Noes . . . . .	19
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson) Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), McAfee, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--69.

Representatives voting no were: Burnett, Clark (Sumner), Cobb, Disspayne, Dixon, Drew, Duer, Jones, Kent, Kernell, Kisber, Montgomery, Murphy, Robertson, Robinson (Davidson), Scruggs, Smith, Ussery and Withers--19.

Representatives present and not voting were: Brewer, King (Shelby) and Starnes--3.

Thereupon, House Bill No. 202, as amended, passed its third and final consideration by the following vote:

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Ayes . . . . .	75
Noes . . . . .	15
Present and not voting . . . . .	6

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Gafford, Gill, Harrill, Hassell, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Piekering, Rhinehart, Robinson (Davidson), Robinson (Washington), Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--75.

Representatives voting no were: Bragg, Burnett, Clark (Sumner), Cobb, Dixon, Drew, Frensey, Gaia, Kernell, Napier, Pruitt, Robertson, Scruggs, Severance and Wallace--15.

Representatives present and not voting were: Brewer, DeBerry, Hudson, Jones, King (Shelby) and Love--6.

A motion to reconsider was tabled.

House Bill No. 799--To make certain provisions, loans.

Mr. Tanner moved that House Bill No. 799 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 799 by redesignating (iii) of Section 1 to be (iv) and adding the following new (iii) to Section 1:

"(iii) on loans made under open-end credit plans (plans under which a registrant contemplates repeated loans, which may be without fixed maturities or limitation as to the length of term, and which shall be subject to prepayment at any time), at any rate not in excess of a maximum effective rate of twenty-four percent (24%) per annum; and"

AND FURTHER AMEND by adding a new (iii) to sub-section (a) of Section 2 as follows:

"(iii) with respect to loans made under open-end credit plans, interest shall be computed on the principal balance unpaid from time to time, always subject to the maximum effective rate provided in TCA 45-5-301 (2) for loans of this category."

AND FURTHER AMEND by changing the period (.) following sub-section (c) of Section 2 to a semicolon (;) and adding the following:

"and

(iii) where the loan is made under an open-end credit plan, at an effective rate not to exceed twenty-four percent (24%) per annum."

On motion, the amendment was adopted.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 799 by deleting the first sentence of the amendatory language in sub-section (5) and substituting the following in lieu thereof:

"(5)" Registrants may also charge an installment maintenance fee of two and 25/100 (\$2.25) dollars per month on loans where the total amount of the loan is less than Seven Hundred Fifty and 00/100 (\$750.00) dollars, and one and 75/100 (\$1.75) dollars where the total amount of the loan is Seven Hundred and Fifty (\$750.00) or more."

Mr. Naifeh moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	60
Noes . . . . .	28
Present and not voting . . . . .	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Gafford, Gaia, Hassell, Henry, Herndon, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kernell, Kisber, Love, Miller, Montgomery, Murphy, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Washington), Scruggs, Shirley, Sir, Smith, Stafford, Stallings, Ussery, Wallace, Whitson, Withers, Wolfe and Work--60.

Representatives voting no were: Burnett, Byrd, Clark (Davidson), Copeland, Davis (Hamilton), Ellis, Elsea, Gill, Hillis, Huskey, Kent, King (Shelby), King (Washington), McAfee, McNally, Moore (Shelby), Moore (Sullivan), Nance, Rhinehart, Robinson (Davidson), Severance, Shockley, Starnes, Webb, Wheeler, Williams, Wood and Yelton--28.

Representatives present and not voting were: Frensley, Harrill, Tanner and Wix--4.

Mr. Tanner moved to amend as follows:



AMENDMENT NO. 3

Amend House Bill No. 799 by deleting Section 6 in its entirety and substituting instead the following new Section 6:

Section 6. This act shall take effect June 1, 1983, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 799, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	69
Noes . . . . .	25
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Copeland, Covington, Crain, Davidson, Davis (Gibson), Dills, Disspayne, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, McAfee, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Percy, Pickering, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--69.

Representatives voting no were: Bell, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Davis (Hamilton), Davis (Pickett), DeBerry, Dixon, Ellis, Gaia, Harrill, Jones, Kernell, Love, McKinney, McNally, Miller, Murray, Phillips, Pruitt, Rhinehart, Shirley, Sir and Wallace--25.

Representatives present and not voting were: DePriest, Turner and Wix--3.

A motion to reconsider was tabled.

House Bill No. 329--To require certain information, motor vehicle certificate of title.

On motion, House Bill No. 329 was made to conform with Senate Bill No. 125.

On motion, Senate Bill No. 125, on same subject, was substituted for House Bill No. 329.

Mr. Anderson moved that Senate Bill No. 125 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes . . . . . 94  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter --94.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1145--To regulate certain programs for benefit of children.

Mr. Henry moved that House Bill No. 1145 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 93  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 801--To make certain provisions, unruly juveniles.

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On motion, House Bill No. 801 was made to conform with Senate Bill No. 482.

On motion, Senate Bill No. 482, on same subject, was substituted for House Bill No. 801.

Ms. Hassell moved that Senate Bill No. 482 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 746--To exempt certain products, sales and use tax.

On motion, House Bill No. 746 was made to conform with Senate Bill No. 804.

On motion, Senate Bill No. 804, on same subject, was substituted, for House Bill No. 746.

Mr. Kelley moved that Senate Bill No. 804 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon,

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Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

Representative present and not voting was: Shirley--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 878--To amend Section 54-7-104, Code.

Mr. Kelley moved that House Bill No. 878 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

Representatives present and not voting were: DePriest and Love --2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1138--To increase fee, examination of cemeteries.

On motion, House Bill No. 1138 was made to conform with Senate Bill No. 1064.

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On motion, Senate Bill No. 1064, on same subject, was substituted for House Bill No. 1138.

Mr. Smith moved that Senate Bill No. 1064 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 93  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Smith moved that House Bill No. 373 be placed on the Calendar for Wednesday, April 20, 1983, which motion prevailed.

House Bill No. 673--To make certain provisions, golf courses.

On motion, House Bill No. 673 was made to conform with Senate Bill No. 769.

On motion, Senate Bill No. 769, on same subject, was substituted for House Bill No. 673.

Mr. Smith moved that Senate Bill No. 769 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 769 by inserting the following language after the words "including golf courses" in Section 1:

, except such term shall not include golf courses in any county having a metropolitan form of government

Amendment No. 1 failed by the following vote:

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Ayes . . . . .	35
Noes . . . . .	48
Present and not voting . . . . .	7

Representatives voting aye were: Bell, Bivens, Buck, Byrd, Clark (Davidson), Cobb, Covington, Davidson, DeBerry, Disspayne, Drew, Gaia, Gill, Hassell, Herndon, Hillis, Hurley, Jones, Kent, Kernell, Love, McKinney, Miller, Murphy, Murray, Owen, Phillips, Pruitt, Rhinehart, Shirley, Sir, Turner, Williams, Wolfe and Work--35.

Representatives voting no were: Anderson, Atchley, Bewley, Burnett, Chiles, Clark (Sumner), Davis (Hamilton), Dixon, Duer, Elsea, Ford, Frensley, Gafford, Harrill, Henry, Hudson, Huskey, Jared, Johnson, Kelley, King (Shelby), King (Washington), Kisber, McAfee, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Naifeh, Nance, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wood and Yelton--48.

Representatives present and not voting were: Bragg, Brewer, Crain, Dills, Percy, Starnes and Wix--7.

Mr. McKinney moved that Senate Bill No. 769 be re-referred to the Committee on Finance, Ways and Means.

Mr. Frensley moved that the motion be tabled, which motion failed by the following vote:

Ayes . . . . .	34
Noes . . . . .	57
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Bewley, Burnett, Chiles, Davis (Hamilton), Dills, Elsea, Ford, Frensley, Gafford, Harrill, Henry, Hudson, Huskey, Jared, Kelley, McNally, Moore (Shelby), Murray, Naifeh, Rhinehart, Robertson, Robinson (Davidson), Scruggs, Severance, Smith, Stafford, Starnes, Ussery, Wallace, Webb, Whitson, Williams and Wood--34.

Representatives voting no were: Atchley, Bell, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Gaia, Gill, Hassell, Herndon, Hillis, Hurley, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Montgomery, Moore (Sullivan), Murphy, Nance, Napier, Owen, Percy, Phillips, Pruitt, Robinson (Washington), Shirley, Shockley, Sir, Stallings, Tanner, Turner, Wheeler, Withers, Wix, Wolfe, Work and Yelton--57.

Representatives present and not voting were: Bragg, Crain and Miller--3.

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Thereupon, on motion, the motion to re-refer Senate Bill No. 769 to the Committee on Finance, Ways and Means prevailed.

House Bill No. 681--To amend Section 5-5-109, Code.

On motion, House Bill No. 681 was made to conform with Senate Bill No. 551.

On motion, Senate Bill No. 551, on same subject, was substituted for House Bill No. 681.

Mr. Frensley moved that Senate Bill No. 551 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, ewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), lark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, isspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, aia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, uskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), ng (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, ntgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, ince, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, obertson, Robinson (Davidson), Robinson (Washington), Scruggs, verance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, arnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, illiams, Withers, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 58--To change age, Senior Citizens.

On motion, House Bill No. 58 was made to conform with Senate Bill No. 191.

On motion, Senate bill No. 191, on same subject, was substituted for House Bill No. 58.

Mr. Dills moved that Senate Bill No. 191 be passed on third and final consideration.

Mr. Dills moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 191 by deleting Section 1 and 2 in their entirety and by renumbering the subsequent sections accordingly.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 191, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Representative voting no was: Scruggs--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 501--To require hunter education course, certain persons.

Mr. Dills moved that House Bill No. 501 be passed on third and final consideration.

Mr. Dills moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 501 by deletion Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 51-202, be amended by adding a new paragraph immediately after the first paragraph, as follows:

"Every person born on or after January 1, 1969, before hunting shall possess, in addition to all other licenses and permits required, proof of satisfactory completion of an Agency approved hunter education course, except this provision shall not apply to persons under ten (10) years of age accompanied by an adult at least twenty-one (21) years of age. For the purpose of this section, 'accompanied' is



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defined as being able to take immediate control of the hunting device."

SECTION 2. That this Act shall take effect January 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Dills moved that Senate Bill No. 462 be substituted for House Bill No. 501, which motion prevailed.

Mr. Dills moved that Senate Bill No. 462 be passed on third and final consideration.

Mr. Dills moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 462 by adding the following paragraph at the end of SECTION 1.:

"Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10.00); provided, however, any juvenile found in violation of the provisions of this Act shall be granted one hundred and eighty (180) days to obtain proof of satisfactory completion of an Agency approved hunter education course. Submission of such proof shall result in the withdrawal of the charge of violating this section."

Mr. Clark (Davidson) moved that Senate Bill No. 462 be placed on the next available place on the next available Calendar.

Mr. Wallace moved to amend the motion to move Senate Bill No. 462 down six places on the Calendar today.

Mr. Clark (Davidson) moved that the motion be tabled, which motion failed by the following vote:

Ayes . . . . .	16
Noes . . . . .	59
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Burnett, Chiles, Clark (Davidson), Disspayne, Frensley, Gaia, Gill, McKinney, McNally, Murphy, Murray, Pickering, Pruitt, Williams and Wix--16.

Representatives voting no were: Atchley, Bewley, Bivens, Byrd, Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Dixon, Drew, Elsea, Ford, Gafford, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), Kisber, McAfee, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Naifeh, Nance, Napier, Owen, Percy,

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Phillips, Rhinehart, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood and Yelton--59.

Representative present and not voting was: Harrill--1.

Thereupon, on motion, the motion to move Senate Bill No. 462 down six places on the Calendar prevailed.

On motion of Mr. McKinney, House Bill No. 1126 was withdrawn from the House.

On motion of Mr. McKinney, House Bill No. 1265 was substituted for House Bill No. 1126.

House Bill No. 1265--To repeal certain outmoded laws, Department of Agriculture.

Mr. Wolfe moved that House Bill No. 1265 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moor (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Senate Bill No. 169--To fix liability, damaged textbooks.

Mr. Cobb moved that Senate Bill No. 169 be passed on third and final consideration.

Ms. DeBerry moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 169 be deleting from Section 1 the following language:

Such policies may include any of the following sanctions against a pupil who fails or refuses to pay for a lost or damaged textbook at the replacement cost less reasonable depreciation: (1) refusal to issue any additional textbooks until restitution is made; (2) withholding of all grade cards, diplomas, certificates of progress, or transcripts until restitution is made; (3) not allowing the pupil to take interim or final examinations or to earn course credit in the course for which the textbook is prescribed until restitution is made; (4) reducing the pupil's grade in the course for which the textbook is prescribed by one (1) letter grade or ten (10) percentage points until restitution is made.

On motion, the amendment was adopted.

Mr. Bivens moved that the House, reconsider action on Amendment No. 2, which motion prevailed.

Mr. Bivens moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 169, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	90
Noes . . . . .	4
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

Representatives voting no were: Bell, Burnett, DeBerry and Pruitt--4.

Representative present and not voting was: Bragg--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1160--To abolish Health Planning and Resources Development Authority.

Mr. Chiles moved that House Bill No. 1160 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1160 by adding the following new section to be designated as Section 18 and by renumbering the remaining sections accordingly:

Section 18. Tennessee Code Annotated, Section 53-1211 (g)(1)(B) is amended by inserting the following between the first and second sentences:

Provided, however, if by regulation the commission establishes the capital expenditure threshold at an amount in excess of one hundred fifty thousand dollars (\$150,000), the chairman of the commission shall notify the chairmen of the House and Senate Finance, Ways and Means Committees of such threshold change at least sixty (60) days prior to the date the regulation making such change takes effect.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1160, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	95
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

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Representative voting no was: Shirley--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Owen moved that the House adjourn until 2:00 p.m., Wednesday, April 13, 1983, which motion failed by the following vote:

Ayes . . . . .	8
Noes . . . . .	78
Present and not voting . . . . .	1

Representatives voting aye were: Covington, DeBerry, Hudson, Murray, Owen, Shirley, Stafford and Turner--8.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --78.

Representative present and not voting was: Moore (Shelby)--1.

Mr. Bragg moved that House Bill No. 970 be placed on the Calendar for Monday April 18, 1983, which motion prevailed.

**FURTHER CONSIDERTAION OF HOUSE BILL NO. 1195**

House Bill No. 1195--To make certain provisiosn, Public Health Commissioners.

Mr. McNally moved that House Bill No. 1195 be passed on third and final consideration.

Mr. Copeland moved that to amend Amendment No. 1 as follows:

**AMENDMENT NO. 3 TO AMENDMENT NO. 1**

Amend Amendment No. 1 by deleting from Section 1, subsection (a), as amended by Committee Amendment #1, the following:

"and his compensation shall be fixed by the governor and paid from appropriation to the department."

and by substituting instead the following:

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"The compensation of the commissioner of the department of public health shall not exceed that of a Class 1 official, as established in Tennessee Code Annotated, Section 8-23-101."

On motion, Amendment No. 2 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. McNally moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1195 by deleting Section 2 in its entirety.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 1195 by adding at the end of Section 1, subsection (d), the following:

The salary for the state health officer shall be paid consistent with the current physician 959 classification or the highest paid physician in subsequent classification/compensation plans, as of January 1, 1983.

Mr. McNally moved to amend Amendment No. 3 as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 3**

Amend Amendment No. 3 by inserting a comma between the words "classification" and "or".

Mr. McKinney moved that Amendment No. 1 to Amendment No. 3 be tabled, which motion failed.

Mr. McKinney moved that Amendment No. 3 be withdrawn.

Mr. Buck moved the previous question, on the motion, which motion prevailed.

Thereupon, the motion to withdraw Amendment No. 3 prevailed by the following vote:

Ayes . . . . .	84
Noes . . . . .	9

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne,

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Dixon, Drew, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--84.

Representatives voting no were: Atchley, Duer, Elsea, Hudson, Montgomery, Robertson, Scruggs, Smith and Wolfe--9.

Mr. McKinney moved that House Bill No. 1195 be re-referred to the Committee on Finance, Ways and Means.

Mr. Buck moved the previous question, which motion failed by the following vote:

Ayes . . . . .	50
Noes . . . . .	41

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Gafford, Gaia, Gill, Herndon, Hillis, Huskey, Johnson, Jones, Kelley, Kisber, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Shirley, Sir, Stallings, Turner, Wallace, Whitson, Withers, Wix, Work and Yelton--50.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Cobb, Covington, Duer, Elsea, Ford, Frensley, Harrill, Hassell, Henry, Hudson, Hurley, Jared, Kent, King (Shelby), King (Washington), McAfee, McNally, Montgomery, Moore (Shelby), Nance, Percy, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Tanner, Ussery, Webb, Wheeler, Williams, Wolfe and Wood--41.

Mr. King (Washington) moved that the motion to re-refer be tabled, which motion prevailed by the following vote:

Ayes . . . . .	49
Noes . . . . .	44

Representatives voting aye were: Anderson, Atchley, Bewley, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, DePriest, Duer, Elsea, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Hudson, Hurley, Jared, Kelley, Kent, King (Shelby), King (Washington), McAfee, McNally, Montgomery, Moore (Shelby), Nance, Percy, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Starnes, Tanner, Ussery, Wallace, Webb, Whitson, Williams, Wolfe and Wood--49.

Representatives voting no were: Bivens, Bragg, Burnett, Byrd, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Ellis, Ford, Gill, Herndon, Hillis, Huskey, Johnson, Jones, Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Robinson (Davidson), Shirley, Stallings, Turner, Wheeler, Withers, Wix, Work and Yelton--44.

Mr. Buck moved the previous question, which motion failed by the following vote:

Ayes . . . . .	53
Noes . . . . .	33

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Chiles, Clark (Sumner), Cobb, Covington, Davis (Hamilton), DePriest, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Kelley, Kent, McAfee, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Nance, Percy, Rhinehart, Robertson, Robinson (Washington), Severance, Shockley, Sir, Smith, Stafford, Starnes, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe and Wood--53.

Representatives voting no were: Brewer, Burnett, Byrd, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Drew, Gill, Jared, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Stallings, Tanner, Turner, Withers and Yelton--33.

Ms. DeBerry moved to amend as follows:

#### AMENDMENT NO. 4

Amend House Bill No. 1195 by adding the following section before the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The state health officer of the department of public health established in Section 1 shall hold certification in the field of public health.

Mr. McNally moved that the Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	54
Noes . . . . .	34

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davis (Gibson), Duer, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery,



Moore (Shelby), Nance, Percy, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe and Wood--54.

Representatives voting no were: Brewer, Burnett, Byrd, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Dixon, Drew, Elsea, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Shirley, Stallings, Turner, Williams, Withers and Yelton--34.

Mr. Ford moved that House Bill No. 1195 be placed on the next Calendar.

Mr. McKinney moved that previous question, which motion failed by the following vote:

Ayes . . . . .	38
Noes . . . . .	51
Present and not voting . . . . .	1

Representatives voting aye were: Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Gill, Hillis, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Shirley, Stallings, Turner, Withers, Wix and Yelton--38.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Chiles, Clark (Sumner), Cobb, Covington, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Herndon, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Moore (Shelby), Nance, Percy, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Starnes, Tanner, Ussery, Wallace, Wheeler, Whitson, Williams, Wolfe and Wood--51.

Representative present and not voting was: Jared--1.

Thereupon, the motion to place House Bill No. 1195 on the next Calendar was withdrawn.

Mr. Copeland moved to amend as follows:

**AMENDMENT NO. 5**

Amend House Bill No. 1195 by adding at the end of Section 1, subsection (d), the following:

The salary for the state health officer shall be paid consistent with physician classification 959 as of January 1, 1983.

Mr. McKinney moved to amend Amendment No.5 as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 5**

Amend Amendment No. 5 by adding a new sentence "This salary or physicians salary cannot be changed except by General Assembly approval.

On motion, Amendment No. 1 to Amendment No. 5 was adopted.

On motion, Amendment No. 5, as amended, was adopted.

Mr. Johnson moved the previous question, which motion prevailed.

Thereupon, House Bill No. 1195, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	84
Noes . . . . .	9

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Dispayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representatives voting no were: Brewer, Burnett, Crain, DeBerry, Gafford, Herndon, Kisber, Owen and Shirley--9.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

Mr. Rhinehart moved that House Bill No. 364 be placed on the Calendar for Wednesday, April 20, 1983, which motion prevailed.

Senate Bill No. 462--To amend Section 51-202, Code.

Mr. Dills moved that Senate Bill No. 462 be passed on third and final consideration.

On motion of Mr. Dills, Amendment No. 1 was withdrawn.

Mr. McKinney moved to amend as follows:

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**AMENDMENT NO. 2**

Amend Senate Bill No. 462 by adding a new section:

"This Act shall not apply to people on their own land and a hunting and fishing license is not required for hunting and fishing on your own property"

On motion, the amendment was adopted.

Mr. Dills moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 462 by adding the following paragraph at the end of Section 1:

As punishment, any person violating the provisions of this act shall have his or her hunting privileges suspended and such person's license shall be taken by the arresting officer. Submission of proof of satisfactory completion of an agency approved hunter education course shall entitle a person to the return of his license and the restoration of hunting privileges.

On motion, the amendment was adopted.

Mr. Dills moved that Senate Bill No. 462 be placed on the Calendar for Wednesday, April 20, 1983, which motion prevailed.

House Bill No. 1155--To amend Sections 50-1004, 50-1005 and 50-1028, Code.

Mr. Hudson moved that House Bill No. 1155 be passed on third and final consideration.

Mr. Clark (Davidson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1155 by adding at the end of Section 3 the following:

Tennessee Code Annotated, Section 50-1028 is further amended by adding at the end of the first paragraph the following:

In no event shall the department of labor charge a fee or impose a cost for any necessary or required forms needed to process a Workers' Compensation claim.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1155, as amended, passed its third and final consideration by the following vote:

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Ayes . . . . . 93  
Noes . . . . . 2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Burnett and Crain--2.

A motion to reconsider was tabled.

House Joint Resolution No. 143--Relative to supporting Railroad Retirement Act.

Mr. Whitson moved that House Joint Resolution No. 143 be adopted, which motion prevailed by the following vote:

Ayes . . . . . 94  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Davis (Hamilton) moved that House Bill No. 171 be placed on the Calendar for Wednesday, April 20, 1983, which motion prevailed.

Mr. Jared moved that House Bill No. 668 be placed on the Calendar for Wednesday, April 27, 1983, which motion prevailed.

**MONDAY, APRIL 11, 1983--26th LEGISLATIVE DAY**

House Bill No. 1258--To provide for election, city commissioners, Springfield.

Mr. Davidson moved that House Bill No. 1258 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Webb moved that House Bills Nos. 1184 and 1185 be placed on the Calendar for Wednesday, April 20, 1983, which motion prevailed.

**CONSENT CALENDAR**

**OBJECTION**

An objection was filed to the following bill on the Consent Calendar:

Mr. Turner objected to House No. 235.

Under the rules, House Bill No. 235 was placed at the foot of the Calendar for Wednesday, April 13, 1983.

House Bill No. 649--To make certain provisions, tax refund lawsuits.

On motion, House Bill No. 649 was made to conform with Senate Bill No. 394.

On motion, Senate Bill No. 394, on same subject, was substituted for House Bill No. 649.

House Bill No. 474--To increase tax litigation, Anderson County.

House Bill No. 702--To regulate purchasing, Hamilton County.

**MONDAY, APRIL 11, 1933--26th LEGISLATIVE DAY**

House Bill No. 1266--To amend Charter, Friendship.

On motion, House Bill No. 1266 was made to conform with Senate Bill No. 1181.

On motion, Senate Bill No. 1181, on same subject, was substituted for House Bill No. 1266.

House Bill No. 1267--To provide for advisory referendum, Lexington.

House Bill No. 1268--To establish school districts, Tipton County.

House Bill No. 1269--To extend authority, massage registration board, Hamilton County.

House Resolution No. 26--Relative to congratulating Obion Junior High School girls' basketball team.

House Resolution No. 27--Relative to congratulating Kenton Junior High School boys' basketball team.

House Joint Resolution No. 144--Relative to honoring Mrs. Helen R. Gault.

House Joint Resolution No. 145--Relative to the memory, Burnett O'Dell.

House Joint Resolution No. 148--Relative to proclaiming Police Memorial Day and Week.

House Bill No. 953--To repeal Chapter 573, Private Acts, 1933.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, and all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley,

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Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 263--To set penalty, certain bad checks.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 263 by deleting the words and figures "one percent (1%)" in the amendatory subsection (b) of Section 1 and by substituting instead the words and figures "five percent (5%)".

AND FURTHER AMEND by deleting the words ", and such penalty shall in no event exceed one hundred dollars (\$100.00)" from the second sentence of the amendatory subsection (b) of Section 1.

AND FURTHER AMEND by adding the following sentence at the end of the first paragraph of the amendatory subsection (b) of Section 1:

The penalty imposed under this subsection shall not exceed one hundred dollars (\$100) regardless of the amount of the check.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 263 by deleting from the amendatory language of Section 1, the words and figures "twenty-five dollars (\$25.00) and by substituting the words and figures "fifteen dollars (\$15.00)".

Mr. Kent moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elses, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nafteh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

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Representatives present and not voting were: Covington and King (Shelby)--2.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 268--To amend Section 4-15-102, Code.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 268 as follows:

Section 1 is amended by removing the period at the end of the proposed new subparagraph (5) and adding the following wording:

"unless the acquisition of any interest in real property by gift or devise obligates The University of Tennessee, the State University and Community College System of Tennessee, or the State of Tennessee to expend State of Tennessee funds for capital improvements or continuing operating expenditures. Furthermore information on such gift property will be filed with the State Building Commission.

Mr. Scruggs moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	90
Noes . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90

Representatives voting no were: Bragg, DeBerry and Mr. Speaker McWherter--3.

Mr. McKinney, having voted with the prevailing side, moved that the House reconsider its action in concurring in Senate Amendment No. 1 to House Bill No. 268, and requested that the motion be spread upon the Journal.



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The Speaker announced that pursuant to Rule No. 38, Mr. McKinney would have exclusive control of the motion to reconsider House Bill No. 268 for the remainder of today and all day Wednesday, April 13, 1983.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 652--To make certain provisions, taxes on farm products.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 652 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of Section 1 of this act are declared to be retroactive and shall apply to by sale at retail, use, consumption, distribution, storage for use or consumption, transfer or other sale which has occurred on or after January 1, 1979.

**SECTION \_\_\_\_.** If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

1. Mr. Rhinehart moved that the House concur in Senate Amendment No.

Mr. Burnett moved that action on Bill No. 652 be deferred until Wednesday, which motion failed by the following vote:

Ayes . . . . .	34
Noes . . . . .	39
Present and not voting . . . . .	10

Representatives voting aye were: Anderson, Bivens, Brewer, Burnett, Chiles, Cobb, Crain, Davidson, Davis (Gibson), Davis (Pickett), Drew, Duer, Elsea, Ford, Gafford, Hassell, Henry, Herndon, Huskey, Kent, King (Shelby), McAfee, Montgomery, Moore (Shelby), Naifeh, Pickering, Robertson, Turner, Wallace, Wheeler, Williams, Withers, Wolfe and Wood--34.

Representatives voting no were: Atchley, Bell, Bewley, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Davis (Hamilton), DePriest, Dixon, Frensley, Gaia, Hillis, Hurley, Jared, Johnson, Kelley, Kernell, Kisber, Murphy, Murray, Nance, Napier, Percy, Phillips, Rhinehart, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Tanner, Ussery, Webb and Work--39.

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Representatives present and not voting were: Harrill, Jones, Miller, Moore (Sullivan), Owen, Stafford, Starnes, Whitson, Wix and Yelton--10.

Mr. Rhinehart renewed his motion that the House concur in Senate Amendment No. 1.

Mr. Naifeh moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	74
Noes . . . . .	8
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Kisber, Love, McAfee, Miller, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe and Work--74.

Representatives voting no were: Drew, Henry, McKinney, Montgomery, Scruggs, Smith, Wheeler and Wood--8.

Representative present and not voting was Kernell--1.

Thereupon, the House concurred in Senate Admendment No. 1 to House Bill No. 652 by the following vote:

Ayes . . . . .	77
Noes . . . . .	10
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Kisber, Love, McAfee, Miller, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --77.

Representatives voting no were: Clark (Davidson), Davidson, Henry, Hurley, Kent, McKinney, Montgomery, Pickering, Wheeler and

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Williams--10.

Representatives present and not voting were: Brewer, King (Shelby) and Wix--3.

A motion to reconsider was tabled.

**RESOLUTION LYING OVER**

Senate Joint Resolution No. 82--Relative to designating "Ramp Festival Day."

Under the rules, Senate Joint Resolution No. 82 was referred to the Committee on Calendar and Rules.

At the request of Ms. Williams, the following was spread upon the Journal:

**OATH OF OFFICE**

**STATE ELECTION COMMISSION**

I, Wendell L. Hartzog, Jr. do solemnly swear that, I will faithfully support the Constitution of this State and the laws of the United States, and the Constitution and laws of the State of Tennessee, and that I will faithfully, and impartially discharge the duties of my office.

Wendell L. Hartzog, Jr.

Sworn to and subscribed before me  
this the 6th day of April, 1983,  
in the city of Memphis, Tennessee.

Charles O. McPherson  
Judge, Circuit Court of Tennessee  
for the Fifteenth Judicial Circuit  
at Memphis

**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, the sponsor gave notice of his intention to consider the following measure from the Senate on Wednesday, April 13, 1983:

House Bill No. 496--Wood

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

### **INTRODUCTION OF RESOLUTIONS**

House Resolution No. 28--Relative to establishing toll-free telephone line, reporting government abuse--By Sir, Miller, Johnson, Naifeh, Tanner, McKinney and Gill.

The Speaker referred House Resolution No. 28 to the Committee on State and Local Government.

House Resolution No. 29--Relative to study, competition between government and private enterprise--By Murray.

The Speaker referred House Resolution No. 29 to the Committee on Commerce.

House Joint Resolution No. 150--Relative to commending employees, Energy Authority--By Murphy and Kernell.

Under the rules, House Joint Resolution No. 150 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 151--Relative to memory, Gayle Gupton --By McKinney, Wix, Disspayne, Chiles, Murphy, Covington, Ellis, Love, Clark (Davidson), Robinson (Davidson) and Pickering.

Under the rules, House Joint Resolution No. 151 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILL**

House Bill No. 1276--To levy wheel tax, Johnson County--By Percy.

Passed first consideration.

**SENATE BILLS ON FIRST CONSIDERATION**

**Senate Bill No. 114--To amend Shelby County Restructure.**

**Passed first consideration.**

**Senate Bill No. 221--To regulate Civil Service Merit System, Shelby County.**

**Passed first consideration.**

**Senate Bill No. 223--To regulate retirement systems, Shelby County.**

**Passed first consideration.**

**Senate Bill No. 398--To regulate certain election, certain county or municipality.**

**Passed first consideration.**

**Senate Bill No. 478--To regulate office, Shelby County divorce referee.**

**Passed first consideration.**

**Senate Bill No. 509--To authorize certain long-term contracts, certain cities.**

**Passed first consideration.**

**Senate Bill No. 725--To regulate consumption, alcoholic beverages.**

**Passed first consideration.**

**Senate Bill No. 847--To regulate investigation, public utility rate changes, Public Service Commission.**

**Passed first consideration.**

**Senate Bill No. 935--To preserve and promote black history.**

**Passed first consideration.**

**Senate Bill No. 1122--To amend Section 47-1-201, Code.**

**Passed first consideration.**

**Senate Bill No. 1123--To amend Tennessee Savings and Loan Act.**

**Passed first consideration.**

Senate Bill No. 1129--To regulate certain retirement classifications.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1272--To provide for Mayor and Board of Alderman, Oneida.

Passed second consideration and held without reference.

House Bill No. 1273--To revise and amend charter, Oneida.

Passed second consideration and held without reference.

House Bill No. 1274--To provide for Tombigbee Waterway development authority.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1275--To amend charter, Jackson.

Passed second consideration and held without reference.

House Bill No. 1277--To enact the "Industrial Bank and Regulatory Act".

Passed second consideration and referred to Committee on Commerce.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 197, 228, 250, 442, 495, 525, 581, 729, 733, 899 and 968; also, Senate Joint Resolution Nos. 17, 73, 76, 77, 78, 79, 80 and 81; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 197, 228, 250, 442, 495, 525, 581, 729, 733, 899 and 968; and Senate Joint Resolutions No. 17, 73, 76, 77, 78, 79, 80 and 81.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate

**Joint Resolutions Nos.:**

86--Relative to commending Mayor A. K. Bissell;

87--Relative to congratulating Mrs. Joan Keith;

88--Relative to congratulating TVA; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos.:

103--To regulate Goodwyn Institute Commission;

116--To regulate personal property under local option sales tax;

225--To regulate withdrawal, Tennessee Retirement System;

295--To regulate right to trial by jury, certain misdemeanor cases;

327--To amend Section 8-30-308, Code;

362--To regulate limited payment, certain state contracts;

549--To amend Section 54-7-113, Code;

593--To amend Section 17-1-106, Code;

756--To create North Central Tennessee Railroad Authority;

897--To permit sale, red fox hides, certain counties;

1186--To amend Charter, Oneida;

1187--To regulate compensation, Mayor and Board of Alderman, Oneida;

1189--To levy wheel tax, Johnson County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have

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carefully compared House Bills Nos. 334, 347, 721, 800, 972 and 1253; and House Joint Resolutions Nos. 129, 130, 131, 134, 135 and 147; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 334, 347, 721, 800, 972 and 1253; House Joint Resolutions Nos. 129, 130, 131, 134, 135 and 147.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 202, 474, 702, 799, 878, 953, 1145, 1155, 1160, 1195, 1258, 1265, 1267, 1268 and 1269; and House Joint Resolutions Nos. 143, 144, 145 and 148; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 58--Covington

House Bill No. 1145--Kent

House Joint Resolution No. 144--Drew, Scruggs and Smith

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, April 13, 1983: House Bills Nos. 481, 1190, 491, 827, 825, 826, 852, 855, 856, 92, 679, 948, 140, 521, 1206, 313, 314, 315, 346, 322, 10, 917, 1070 and 284.

GILL, Chairman.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having



received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1272, 1273 and 1275.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 13, 1983: House Bills Nos. Senate Joint Resolution No. 82, House Joint Resolutions Nos. 150 and 151, House Bills Nos. 1272, 1273 and 1275.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m., Wednesday, April 13, 1983.